

REMARKS

Applicant submits this Amendment in response to the Office Action mailed on September 25, 2009, which Office Action contained a final rejection of several of the claims and indicated that claims 4-10 contain allowable subject matter. The application is amended herein as discussed below. Claims 17-23 are canceled as being drawn to a non-elected invention.

I. Rejection of the Claims

35 U.S.C. §112, first paragraph, enablement requirement

The Examiner has rejected claims 1-3 and 11-16 under 35 U.S.C. §112, first paragraph, for lack of enablement of the claims to the full scope claimed. Applicant traverses the rejection of the claims on this ground.

However, in order to expedite prosecution of claims 4-10 which the Examiner has indicated contain allowable subject matter, independent claim 1 has been amended to include a Markush group that incorporates the features of claims 4, 5, 7, and 8. Claims 6, 9, and 10 depend from claims 5, 4, and 9, respectively.

Applicant submits that, in view of these amendments to the claims, the rejection of claims 1-3 and 11-16 for lack of enablement to the full scope claim is moot and the Examiner is requested to withdraw the rejection of these claims on this ground.

II. Allowable Subject Matter

The Examiner has objected to claims 4-10 as being dependent upon a rejected base claim and has indicated that these claims would be allowable if rewritten in independent

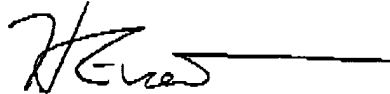
form including the limitations of the base claim and any intervening claim. Claim 1 has been amended to call for a Markush group that contains all of the features of each of claims 4-10 that depend directly from claim 1.

Accordingly, Applicant submits that claim 1 as amended, and all claims dependent therefrom, are allowable.

CONCLUSION

Applicant submits that the claims, as amended herein, are in condition for allowance and requests an early notice to that effect. If the Examiner does not agree, the Examiner is respectfully requested to telephone the below-indicated attorney of record to determine if any remaining issues can be resolved by means of a telephone discussion.

Respectfully submitted,




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CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office at (571) 273-8300 or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450 on October 26, 2009.

Dated: October 26, 2009


Howard M. Eisenberg